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U. S. DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
OFFICE OF THE CLERK
600 WEST CAPITOL AVENUE
SUITE 402
LITTLE ROCK, ARKANSAS 72201-3325

501-604-5351
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June 20, 2006

James G. Woodward
U. S. District Court Clerk
Eastern District of Missouri
111 South Tenth Street, Room 3.300
St. Louis, Missouri 63102-1116

Re: MDL No. 1507 - In re Prempro Products Liability Litigation
E.D. AR Master Case Number 4:03CV01507 WRW
Linda Stroh v. Wyeth, et al - Your Case No. 4:06-280 *RWS*
Rayjeana Kell v. Wyeth, et al - Your Case No. 4:06-295
Susan Kay Grosor, et al v. Wyeth, et al - Your Case No. 4:06-310
Carolyn Scott v. Wyeth, et al - Your Case No. 4:06-366
Janet S. Roth, et al v. Wyeth, et al - Your Case No. 4:06-370

Dear Mr. Woodward:

A transfer order of the Judicial Panel on Multidistrict Litigation under 28 U.S.C. § 1407 was received and filed in this district on June 20, 2006. Enclosed are certified copies of that order directing the transfer of your civil cases to the Eastern District of Arkansas. They are assigned to the docket of Hon. William R. Wilson, Jr., for coordinated or consolidated pretrial proceedings. Please reference the case number assigned to this court in all correspondence or communications.

Copies of original pleadings (e.g., original complaint, counterclaim, cross-complaint or third-party complaint, and answer or responsive pleading) and a certified copy of the docket entries in the cases listed above should be forwarded immediately to: Clerk, U.S. District Court, Richard Sheppard Arnold United States Courthouse, 600 West Capitol Avenue, Room 402, Little Rock, Arkansas 72201-3325. (See *Guide to Judiciary Policies and Procedures*, Volume 4, Chapter 7 § 7.07.) Due to the high volume of cases involved in this litigation, please provide paper copies of the above documents instead of simply referring to your website. Communications regarding these actions should be directed to Ms. Mary Johnson at (501) 604-5144 or Dennis J. Wysocki at (501) 604-5305. If you have any questions, please do not hesitate to call.

Sincerely,


JAMES W. McCORMACK, CLERK

JWMC/rm
Enclosure
cc: Hon. William R. Wilson, Jr.

A CERTIFIED TRUE COPY

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

JUN 14 2006

FILED
CLERK'S OFFICE

DOCKET NO. 1507

~~APPEAL FOR THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION
FOR THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION
IN THE PREMPRO PRODUCTS LIABILITY LITIGATION~~

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

JUN 14 2006
Linda Stroh v. Wyeth, et al., E.D. Missouri, C.A. No. 4:06-280

Rayjeana Kell v. Wyeth, et al., E.D. Missouri, C.A. No. 4:06-295

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JUN 20 2006

*JAMES W. McCORMACK CLERK
Marta Dugay DEP CLERK*

**BEFORE WM. TERRELL HODGES, CHAIRMAN, JOHN F. KEENAN, D.
LOWELL JENSEN, J. FREDERICK MOTZ,* ROBERT L. MILLER, JR.,
KATHRYN H. VRATIL AND DAVID R. HANSEN, JUDGES OF THE
PANEL**

4:03CV1507

TRANSFER ORDER

Before the Panel is a motion brought, pursuant to Rule 7.4, R.P.J.P.M.L., 199 F.R.D. 425, 435-36 (2001), by plaintiffs in five Eastern District of Missouri actions. Movants ask the Panel to vacate its order conditionally transferring their actions to the Eastern District of Arkansas for inclusion in the centralized pretrial proceedings occurring there in this docket before Judge William R. Wilson, Jr. Responding defendants Wyeth and Wyeth Pharmaceuticals Inc. support transfer of the actions.

On the basis of the papers filed and hearing session held, the Panel finds that these five actions involve common questions of fact with actions in this litigation previously transferred to the Eastern District of Arkansas, and that transfer of the actions to that district for inclusion in the coordinated or consolidated pretrial proceedings occurring there will serve the convenience of the parties and witnesses and promote the just and efficient conduct of the litigation. The Panel is persuaded that transfer is appropriate for reasons expressed by the Panel in its original order directing centralization in this docket. In that order, the Panel held that the Eastern District of Arkansas was a proper Section 1407 forum for actions brought by persons allegedly injured by Wyeth's Prempro, a hormone combination of estrogen and progestin used in the treatment of menopausal symptoms. *See In re Prempro Products Liability Litigation*, 254 F.Supp.2d 1366 (J.P.M.L. 2003).

The plaintiffs premise their opposition to transfer on their contention that federal jurisdiction is lacking in the five actions. They urge the Panel not to order transfer before their motions to remand to state court are resolved in the Missouri federal court. Remand and other motions, if not resolved in a transferor court by the time of Section 1407 transfer, can be presented to and decided by the transferee judge. *See, e.g., In re Ivy*, 901 F.2d 7 (2nd Cir. 1990); *In re Prudential Insurance*

A TRUE COPY I CERTIFY
JAMES W. McCORMACK, CLERK

By James W. McCormack

*Judge Motz took no part in the disposition of this matter.

Y100 BURT COMMITTEE A

- 2 -

Company of America Sales Practices Litigation, 170 F.Supp.2d 1345, 1347-48 (J.P.M.L. 2001).

IT IS THEREFORE ORDERED that, pursuant to 28 U.S.C. § 1407, these five actions are transferred to the Eastern District of Arkansas and, with the consent of that court, assigned to the Honorable William R. Wilson, Jr., for inclusion in the coordinated or consolidated pretrial proceedings occurring there in this docket.

FOR THE PANEL:

Wm. Terrell Hodges

Wm. Terrell Hodges

Chairman